

SPENCER BACHUS
6TH DISTRICT, ALABAMA

COMMITTEE:
FINANCIAL SERVICES,
RANKING REPUBLICAN MEMBER

Congress of the United States
House of Representatives
Washington, DC

2246 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4821

1900 INTERNATIONAL PARK DRIVE
SUITE 107
BIRMINGHAM, AL 35243
(205) 963-2296

703 SECOND AVENUE NORTH
P.O. BOX 502
CLANTON, AL 35046
(205) 280-0704
<http://www.house.gov/bachus>

December 23, 2009

VIA FACSIMILE 334-242-4891

The Honorable Troy R. King
Attorney General
State of Alabama
11 South Union Street
Montgomery, AL 36130

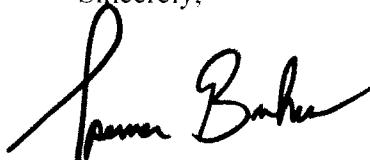
Dear Troy,

Tomorrow the United States Senate is scheduled to vote on, and will likely pass, Senate Majority Leader Harry Reid's health care bill. The brazen vote-buying bazaar that has been reported in the media goes beyond pork barrel politics at its worst. This ill-conceived legislation raises serious questions on several legal fronts, including the constitutionality of having taxpayers in one state being treated differently from taxpayers in every other state. Given its potential impact on the State of Alabama, it merits your immediate attention as Attorney General.

For example, Nebraska does not have a state match for newly enrolled Medicaid beneficiaries, making it the only state where the federal government will pay 100% for newly enrolled Medicaid beneficiaries. The net result of these special provisions is a smaller burden on taxpayers in that state, while Alabama taxpayers will shoulder the entire burden of the state share for new Medicaid enrollees. The Alabama Medicaid program is already in dire straits with Alabama Medicaid Commissioner Steckel proposing new cost cutting measures earlier this month including limiting the number of prescriptions for Medicaid beneficiaries. At a time when Alabama is implementing these measures, it is unconscionable to exempt Nebraska from this burden thereby shifting the cost to Alabama and other states. Further, Medicare Advantage plans in some states, including Florida, will be grandfathered out of receiving devastating cuts. Medicare Advantage plans operating in Alabama will be subject to these cuts putting seniors in Alabama at risk of losing their private Medicare option, while seniors in Florida will be protected.

Taxpayers in Alabama will ultimately foot the bill for privileged treatment for a few select states. That is unacceptable. Should this flawed legislation become law, I encourage you to seek all appropriate legal remedies to ensure that Alabama taxpayers are treated equitably. Thank you for your attention to this matter and I look forward to working with you.

Sincerely,



Spencer Bachus
Member of Congress

STB/ps